

The Hon. Thomas S. Zilly

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN LEE ASNICAR,

Defendant.

No. CR15-266-TSZ

**FINAL ORDER OF FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for Entry of a Final Order of Forfeiture ("Motion") for the following property:

1. One HTC cellular telephone, Serial No. FA442SF03306, in a grey, teal, pink Otterbox case;
2. One Emachine computer tower T5246, Serial No. XCC68120006194;
3. One Frontier router, MI424WR;
4. One Samsung Galaxy cellular phone SGH-i337, Serial No. R38F309QTKN in a grey and black case; and,
5. Any and all images of child pornography, in whatever format and however stored.

1 The Court, having reviewed the United States' Motion, as well as the other  
 2 pleadings and papers filed in this matter, HEREBY FINDS entry of a Final Order of  
 3 Forfeiture is appropriate because:

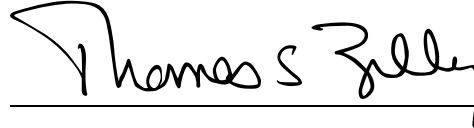
- 4 • In the plea agreement Defendant Brian Lee Asnicar ("the Defendant")  
 5 entered on May 18, 2016, he forfeited his interest in the above-identified  
 6 property pursuant to 18 U.S.C. § 2253 (providing for the forfeiture of  
 7 property used or intended to be used to commit or promote the receipt,  
 8 possession and distribution of child pornography and prohibited visual  
 9 depictions of children engaged in sexually explicit conduct);
- 10 • On September 7, 2016, prior to the Defendant's sentencing, the Court entered  
 11 a Preliminary Order of Forfeiture finding the above-identified property was  
 12 forfeitable pursuant to 18 U.S.C. § 2253 and forfeiting the Defendant's  
 13 interest in it (Dkt. No. 36);
- 14 • Thereafter, the United States published notice of the forfeiture as required by  
 15 21 U.S.C. § 853(n) and Fed. R. Crim. P. 32.2(b)(6)(C) (Dkt. No. 58) and  
 16 provided direct notice to a potential claimant as required by Fed. R. Crim. P.  
 17 32.2(b)(6)(A) (Declaration of AUSA Jensen in Support of Motion for Entry  
 18 of a Final Order of Forfeiture); and,
- 19 • The time for filing third-party petitions has expired, and none were filed.

20  
 21 NOW, THEREFORE, THE COURT ORDERS:

- 22 1. No right, title, or interest in the above-identified property exists in any party  
 23 other than the United States;
- 24 2. The above-identified property is fully and finally condemned and forfeited, in  
 25 its entirety, to the United States; and,
- 26 3. The United States Department of Homeland Security and/or its  
 27 representatives, are authorized to dispose of the above-identified property as  
 28 permitted by governing law.

1 IT IS SO ORDERED.  
2

3 DATED this 17th day of February, 2017.  
4



5  
6 Thomas S. Zilly  
7 United States District Judge  
8

9 Presented by:  
10

11 /s/

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